

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHEN REN JIE,

Petitioner,

v.

WILLIAM E. PHILLIPS

Respondent.  
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BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

After having reviewed the Report and Recommendation of Magistrate Judge James C. Francis IV dated April 25, 2005, and having received no objections thereto, I hereby confirm and adopt the Report in its entirety, having been satisfied that there is no clear error on the face of the record. See Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). Accordingly, Respondent's motion to dismiss the petition as untimely is granted.

SO ORDERED:

Dated: New York, New York  
September 24, 2005

USDC SDNY  
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ELECTRONICALLY FILED

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DATE FILED: 9/28/05 dc

: 04 Civ. 9961 (BSJ) (JCF)

: ORDER

  
BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

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COUNSEL FOR PLTFF(S): \_\_\_\_\_

COUNSEL FOR DFT(S): ☒ \_\_\_\_\_

PLTFF PRO SE: ☒ \_\_\_\_\_

DFT. PRO SE: \_\_\_\_\_

DATE: 9/24/05

BY:  \_\_\_\_\_